

of State. I want to thank Senator RISCH for working with me expeditiously to get this nomination to the floor, and I appreciate his work and common cause to achieve it.

We all know Mr. Blinken has impressive credentials. He was confirmed by the Senate as Deputy Secretary of State, and before that, he served as the Deputy National Security Advisor and as the staff director at the Senate Foreign Relations Committee. But apart from his extensive experience, he showed in almost 5 hours of hearing testimony that he is thoughtful, willing, able to grapple with the most complex challenging issues facing our country, and committed to engaging Congress, and he did so on both sides of the aisle.

Not surprisingly, the Foreign Relations Committee reported him out by an overwhelming bipartisan vote.

Now, some in this body may not be aware of Mr. Blinken's family tradition, which reflects the best of this country in two ways: our history of welcoming those in need of refuge and the contributions that immigrants and refugees have made in the service of our Nation.

Mr. Blinken's family came here fleeing persecution. His grandfather, Maurice Blinken, fled Russian pogroms. His father's wife, Vera Blinken, fled communist Hungary, and his late stepfather, Samuel Pizar, survived Nazi concentration camps and met the first U.S. soldiers he saw with the only English words he knew: God bless America. And from that family, our country has benefitted from the service of two Ambassadors, an Assistant Secretary, and a Deputy Secretary of State—what a testament to the power of the American Dream.

Mr. Blinken must be confirmed so we can start addressing the challenges we face abroad. Every day there is an event or calamity across the globe, and whether it is a massacre in Ethiopia or democratic protests in Russia, we need U.S. leadership and engagement to chart our foreign policy through these troubling times.

We now have a COVID vaccine, but troubling new variants and strains are appearing in the United Kingdom and South Africa. We need a confirmed Secretary of State and a robust State Department to revitalize the traditional U.S. role as a leader on global health issues. This is just one of the many things we have to do to bring this pandemic to an end both in this country and abroad.

It is also important that Mr. Blinken be confirmed to help address the challenges we face closer to home. The State Department is suffering from a historic crisis stemming from low morale, the departure over the past 4 years of many of our most experienced diplomats, and the lack of accountability for the political leadership at the top during the last 4 years. Mr. Blinken's experience and expertise is necessary to begin to repair the damage and rebuild the State Department.

Moreover, the Office of Secretary of State is fourth in the Presidential line of succession and is one of the most important national security positions in the government. To paraphrase former Secretary of Defense James Mattis, if we do not support diplomacy, our Armed Forces will ultimately need more ammunition. He was right. Robust diplomacy means that we are less likely to have to send our sons and daughters to fight wars, and it means more opportunities for Americans and American businesses abroad.

I strongly support Mr. Blinken's nomination today because he is the right person for the job and because we cannot afford to leave this post vacant any longer. I hope my colleagues will all join me.

With that, I yield the floor.

#### VOTE ON BLINKEN NOMINATION

The PRESIDING OFFICER. Under the previous order, the question is, Will the Senate advise and consent to the Blinken nomination?

Mr. MENENDEZ. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The bill clerk called the roll.

The result was announced—yeas 78, nays 22, as follows:

#### [Rollcall Vote No. 7 Ex.]

##### YEAS—78

Baldwin	Heinrich	Risch
Bennet	Hickenlooper	Romney
Blumenthal	Hirono	Rosen
Blunt	Hyde-Smith	Rounds
Booker	Inhofe	Rubio
Brown	Johnson	Sanders
Burr	Kaine	Sasse
Cantwell	Kelly	Schatz
Capito	King	Schumer
Cardin	Klobuchar	Shaheen
Carper	Leahy	Sinema
Casey	Lujan	Smith
Collins	Manchin	Stabenow
Cooms	Markey	Sullivan
Cornyn	McConnell	Tester
Cortez Masto	Menendez	Thune
Crapo	Merkley	Tillis
Duckworth	Moran	Toomey
Durbin	Murkowski	Van Hollen
Feinstein	Murphy	Warner
Fischer	Murray	Warnock
Gillibrand	Ossoff	Warren
Graham	Padilla	Whitehouse
Grassley	Peters	Wicker
Hagerty	Portman	Wyden
Hassan	Reed	Young

##### NAYS—22

Barrasso	Daines	Marshall
Blackburn	Ernst	Paul
Boozman	Hawley	Scott (FL)
Braun	Hoeven	Scott (SC)
Cassidy	Kennedy	Shelby
Cotton	Lankford	Tuberville
Cramer	Lee	
Cruz	Lummis	

The nomination was confirmed.

The PRESIDING OFFICER. Under the previous order, the motion to reconsider is considered made and laid upon the table, and the President will be immediately notified of the Senate's actions.

#### LEGISLATIVE SESSION

##### MORNING BUSINESS

The PRESIDING OFFICER. Under the previous order, the Senate will resume legislative session and will be in a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

The Senator from Kentucky.

##### IMPEACHMENT

Mr. PAUL. Mr. President, this impeachment is nothing more than a partisan exercise designed to further divide the country. Democrats claim to want to unify the country, but impeaching a former President, a private citizen, is the antithesis of unity.

Democrats brazenly appointing a pro-impeachment Democrat to preside over the trial is not fair or impartial and hardly encourages any kind of unity in our country. No, unity is the opposite of this travesty we are about to witness.

If we are about to try to impeach a President, where is the Chief Justice?

If the accused is no longer President, where is the constitutional power to impeach him?

Private citizens don't get impeached. Impeachment is for removal from office, and the accused here has already left office.

Hyperpartisan Democrats are about to drag our great country down into the gutter of rancor and vitriol, the likes of which has never been seen in our Nation's history.

Instead of doing the Nation's work, with their new majorities in the House, the Senate, and the executive branch, Democrats are wasting the Nation's time on a partisan vendetta against a man no longer in office. It is almost as if they have no ability to exist except in opposition to Donald Trump. Without him as their boogeyman, they might have to legislate and to actually convince Americans that their policy prescriptions are the right ones.

Democrats are about to do something no self-respecting Senator has ever stooped to. Democrats are insisting the election is actually not over, and so they insist on regurgitating the bitterness of the election.

This acrimony they are about to unleash has never before been tried. Why? Because calmer heads have typically prevailed in our history and allowed public opinion to cast blame where blame is deserved.

This sham of an impeachment will ostensibly ask whether the President incited the reprehensible behavior and violence of January 6, when he said: "I know everyone here will soon march to the Capitol to peacefully and patriotically make your voices heard."

"Peacefully and patriotically"—hardly words of violence.

But what of Democrat words? What of Democrat incitement to violence?

No Democrat will honestly ask whether BERNIE SANDERS incited the

shooter that nearly killed STEVE SCALISE and a volunteer coach. The shooter nearly pulled off a massacre—I was there—because he fervently believed the false and inflammatory rhetoric spewed by BERNIE and other Democrats, such as: “The Republican healthcare plan for the uninsured is that you die.”

As this avowed BERNIE supporter shot STEVE SCALISE, nearly killing him, and shot one of our coaches and two or three of our staff, he screamed: “This is for healthcare!”

Ask me or anyone if that is incitement.

No Democrat will ask whether CORY BOOKER incited violence when he called for his supporters to get “up in the face of Congress people”—a very visual and specific incitement.

No Democrat will ask whether MAXINE WATERS incited violence when she literally told her supporters: “If you see a member of the Trump [administration] at a restaurant, [at] a department store, [at] a gas station, or any place, you create a crowd and you push back on them.” Is that not incitement?

My wife and I were pushed and surrounded and screamed at by this same type of mob that MAXINE likes to inspire. It is terrifying to have a swarm of people threatening to kill you, cursing at you, and literally holding you hostage until police come to your rescue. That night we were assaulted by the crowd, I wasn’t sure if we would survive even with the police protection. But no Democrat has ever considered impeaching MAXINE for her violent rhetoric. In fact, Republicans, to our credit, have never once thought it legitimate to censure or impeach these Democrats.

No Republican has sought to use a government to hold these Democrats responsible for Antifa and Black Lives Matter violence that has consumed our cities all summer, resulting in over \$1 billion of destruction, looting, and property damage. Not one Republican said, “Oh, let’s impeach the Democrats who are inciting this” because it would be ridiculous.

Many on the Democrat side of the aisle cheered them on. KAMALA HARRIS famously offered to pay the bill for those who were arrested. I wonder if she will be brought up on charges of inciting violence for that now that she is Vice President. Should KAMALA HARRIS be impeached for offering to pay for violent people to get out of jail who have been burning our cities down? No. No Republican has offered that because we are not going down the road the Democrats have decided, this low road of impeaching people for political speech.

Should Republicans impeach the Democratic mayor of Seattle who incited and condoned violence by calling the armed takeover of part of her city “a summer of love”? Did any Republicans try to impeach her?

Then on June 8, the New York Post, citing U.S. Justice Department statis-

tics, reported that more than 700 law enforcement officers were injured during the Antifa-Black Lives Matter riots. There were at least 19 murders, including 77-year-old retired police officer David Dorn. Yet Democrats insist on applying a test of incitement to a Republican that they refuse to apply to themselves.

I want the Democrats to raise their hands if they have ever given a speech that says “Take back; fight for your country.” Who hasn’t used the word “fight” figuratively? And are we going to put every politician in jail? Are we going to impeach every politician who has used the word “fight” figuratively in a speech?

Shame. Shame on these angry, unhinged partisans who are putting forth this sham impeachment, deranged by their hatred of the former President. Shame on those who seek blame and revenge and who choose to pervert a constitutional process while doing so.

I want this body on record, every last person here: Is this how you think politics should be?

Look, we have now got crazy partisans on the other side of the aisle trying to censor and remove two of the Republican Senators for their political position. Look, I disagreed. I don’t think Congress should overturn the electoral college. But impeaching or censoring or expelling a Member of Congress you disagree with—is the truth so narrow that only you know the truth? We now have the media on your side saying there is only one set of facts, one set of truths, and you can only interpret it this way.

Now we have seven Senators on the other side trying to expel, censor, or impugn two Senators on this side. I defend them, not because I defend their position—I disagreed with their position—but you can’t impeach, censor, or expel people you disagree with. What is this coming to?

In a few minutes, I will insist on a vote to affirm that this proceeding we are about to enter is unconstitutional, that impeachment of a private citizen is illegal and essentially a bill of attainder, and that no sense of fairness or due process would allow the judge in the proceeding to be a partisan Democrat already in favor of the impeachment.

A sham this is. A travesty. A dark blot on the history of our country. I urge my colleagues to reconsider this kangaroo court and move forward to debate the great issues of our day.

With that, I would like to relinquish the last moment or two of my time to the Senator of Wisconsin.

The PRESIDING OFFICER. The Senator from Wisconsin.

Mr. JOHNSON. Mr. President, I would like to first thank my colleague from Kentucky for his consistent, over the years—consistent fighting, I use that word—fighting for the Constitution. I truly appreciate it, and I appreciate his raising this constitutional point of order in an hour or so.

The issue he raises is one of constitutionality versus unconstitutionality. I have been reading positions on both sides. I understand there are legitimate arguments on both sides of that question. But the fact is, 3 weeks ago, we came together in this body and we collectively decided that it was not wise, it was not smart—regardless of the constitutionality or the ability for us to do so, it was not smart for Congress to overrule, overturn the wishes of voters and of States that certified the electors. We felt that was not wise.

Again, in a couple of hours, we are going to be voting on—we won’t be able to debate, which is why I am rising today or at this moment—we are going to debate whether a trial of someone who is no longer a President, no longer a civil servant, a private citizen, whether that is constitutional or not constitutional. Again, there are good arguments on both sides. Senators will vote differently and have justification for whatever side of that argument they take.

What I would like my colleagues to consider when they decide how to vote on that is not the constitutionality or unconstitutionality of that; I want them to consider, is it wise? Will a trial of a former President, of a private citizen—will it heal? Will it unify? I think the answer is clearly it will not. A trial of a former President is simply vindictive. It will divide. It is like opening up a wound and throwing salt in it. That is not a healing process.

Again, the question when we vote on this in a couple of hours, for every Senator, should be, Is it wise? Is it the right thing to do? I think from that standpoint, the choice is very clear: It will not heal. It will not unite.

Let’s put an end to this now. Let’s dismiss this trial and rule it unconstitutional.

I yield the floor.

## RECESS

The PRESIDING OFFICER. Under the previous order, the Senate stands in recess until 2:15 p.m.

Thereupon, the Senate, at 12:51 p.m., recessed until 2:15 p.m. and reassembled when called to order by the President pro tempore.

## QUORUM CALL

The PRESIDENT pro tempore. The Senator from Rhode Island.

Mr. REED. Mr. President, I suggest the absence of a quorum.

The PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators entered the Chamber and answered to their names:

[Quorum No. 2 Leg.]

Baldwin	Booker	Capito
Barrasso	Boozman	Cardin
Bennet	Braun	Carper
Blackburn	Brown	Casey
Blumenthal	Burr	Cassidy
Blunt	Cantwell	Collins